

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

HENRY ALLEN SR. #346891	§	
v.	§	CIVIL ACTION NO. 6:06cv106
GEORGE W. BUSH, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
AND ENTERING FINAL JUDGMENT

The Plaintiff Henry Allen, proceeding *pro se*, filed this lawsuit apparently complaining of alleged violations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Allen names the President of the United States, the Governor of Texas, the former Attorney General for the State of Texas, various federal judges, prison officials, and staff personnel of the Fifth Circuit Court of Appeals. His complaint accuses these individuals of “defiling the Lord Jesus Christ,” apparently through idolatry, and weaves in allegations regarding “ecclesiastical prayer courts” and various other claims in a similar vein.

On March 28, 2006, the Magistrate Judge issued a Report recommending that the lawsuit be dismissed. The Magistrate Judge observed that Allen was well known to the Court, having had numerous lawsuits dismissed as frivolous or for failure to state a claim upon which relief could be granted. The Magistrate Judge discussed the “three strikes” provision of 1915(g) and determined that Allen had not paid the filing fee nor shown that he was in imminent danger of serious physical injury; in addition, the Magistrate Judge indicated that Allen’s claims were factually frivolous on their face.

Allen filed objections to the Magistrate Judge's Report on May 8, 2006. Aside from being untimely, these objections simply continue in the unintelligible meandering which characterized the complaint. He says that he wants to file "a notice of appeal to the Lord Jesus United States Emperor Appeal Court in Washington, D.C.," and refers to the Book of Acts in the Bible and the abolishing of "Apollyon in alien flesh when he was not in all the scribes, Pharisees, pagans, hypocrites, image United States Federal Governments, Texas image idol Governors, Representatives, judges, Presidents, other local government officials that is Apollyon the Lord Jesus benefit of clergyman as Lord Jesus superiors to review Lord Jesus sheeps and lambs in objective criteria periodically and in meaningfully way by relevant standards as required by rules."<sup>1</sup> His objections are patently without merit.

The Court has conducted a careful *de novo* review of the pleadings in this cause, including the original complaint, the Report of the Magistrate Judge, the Plaintiff's objections thereto, and all pleadings, documents, and records in the case. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate Judge is correct and that the Plaintiff's objections are without merit. It is accordingly

ORDERED that the Plaintiff's objections are overruled and the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled civil action be and hereby is DISMISSED with prejudice as frivolous and because Allen neither paid the full filing fee nor showed that he is in imminent danger of serious physical injury, as required by 28 U.S.C. §1915(g). It is further

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<sup>1</sup>"Apollyon" comes from the Greek word Απολλων, meaning "destroyer," and is used in the New Testament as a synonym for the Devil.

ORDERED that any and all motions which may be pending in this action are hereby  
DENIED.

**So ORDERED and SIGNED this 31st day of May, 2006.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**